

IDAHO PLUMBING BOARD MEETING

Friday – February 16, 2007 – 9:00 A.M.

Division of Building Safety
1090 East Watertower Street
Meridian, ID 83642

NOTE: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

The meeting was called to order by Chairman Ray Coon at 9:00 a.m. on Friday, February 16, 2007.

Board Members Present:

Ray Coon, Chairman
Bob Livesay
Milford Terrell

Board Members Absent:

None

DBS Staff Members:

C. Kelly Pearce, Administrator
Steve Keys, Deputy Administrator, Operations
Marsi Woody, Deputy Administrator, Administration
Carl Lohrengel, Plumbing Bureau Chief
Al Caine, License & Compliance Program Manager
Heather Carr, Consultation & Outreach Advisor
Laurie Jilbert, Executive Assistant
Rusty Boyer, Plumbing Inspector Supervisor
Renee Bryant, Administrative Assistant

Kelly Pearce, newly appointed Administrator for the Division of Building Safety, gave a synopsis of his career.

Carl Lohrengel introduced himself as the Plumbing Bureau's new Bureau Chief.

Russ Firkins was recognized with a plaque for his 12 years of distinguished service on the Idaho State Plumbing Board.

CHANGES TO AGENDA: Ray Coon rearranged the order of agenda items to accommodate the audience and speakers' schedules. Milford Terrell and Bob Livesay agreed.

♦ **September 29, 2006 Meeting Minutes**

Air Admittance Valves – Ray Coon requested “and Side Wall Venting” be included in the title and motion after the wording “Air Admittance Valves”.

MEETING MINUTES MOTION: Milford Terrell made a motion to accept the September 29, 2006 minutes as presented with corrections. Bob Livesay seconded. All ayes, motion passed.

♦ **Air Admittance Valves and Side Wall Venting**

The Board has approved the limited use of air admittance valves. Deputy Attorney General Roger Gabel is drafting legislation.

Dan McCoy with Ayrlett Company, a retailer of air admittance valves, has offered his knowledge and services. Milford Terrell recommended Ayrlett Company attend future meetings on the proposed legislation.

ACTION: Milford Terrell requested Ayrlett Company be added to the April 10th and June 15th Board meeting agendas; notifying and involving them in upcoming legislation.

♦ **Water-Free Urinals**

Idaho Transportation Department – The Idaho Transportation Department (ITD) is extensively remodeling/reconstructing rest areas statewide.

Upon installing the urinals, ITD will inform the Board of the following: The progress of the installations; report the benefits/savings they receive by using the urinals; maintain a cleaning log and gather statements from the cleaning staff.

MOTION: Milford Terrell made a motion to accept Idaho Transportation Department's request to install waterless urinals at the Timmerman and Mineral Mountain rest areas. Bob Livesay seconded. All ayes, motion passed.

ACTION: Ray Coon requested a map or directions to the test sites.

Simplot Building - It was brought to the Board's attention that waterless urinals were being installed at facilities located at Bogus Basin. The Board and DBS staff have been invited to exam the installed urinals. Dave Chester, D & D Plumbing, stated the water and drainage capacity at Bogus Basin is very limited and they would like Bogus Basin to be a test site.

ACTION: The Board recommended the installation of waterless urinals cease. The issue will be addressed at the April meeting. In the interim, Dave Chester is to submit a report to the Plumbing Bureau on the number of waterless urinals currently installed, not yet installed and wanting to be installed at Bogus Basin.

♦ **Proposed Legislation – Factory Built Structures**

Senate Bill 1155 establishes an Idaho Modular Building Advisory Board; streamlines and consolidates the permitting requirements and fees applicable to the industry; and changes industry verbiage from “factory built structures” to “modular building structures”. The Board supports the bill.

♦ **Conditioning Loops**

Ray Coon read the Division of Building Safety Plumbing Bureau's Statement of Purpose. (The Statement can be viewed on the Plumbing Bureau's website at <http://dbs.idaho.gov/plumbing>.)

Questions arose why certain cities were not complying with the State water softener loop law and if the building departments or city councils of those cities were aware they had deviated from the law.

Ray Coon and Russ Goyen, City of Idaho Falls Chief Plumbing and Mechanical Inspector, voiced their opinions on the interpretation of Idaho Code 54-2601.

The Division of Building Safety has submitted a formal “Request for Opinion” to the Attorney General’s office and is currently awaiting a response.

ACTION: Milford Terrell requested cities, to include Coeur d’Alene, Idaho Falls, Moscow and Nampa, not in compliance with state law notify the DBS staff, clarifying the actions taken by their building departments, city councils and/or Mayors.

ACTION: Milford Terrell asked the Division to forward the Attorney General’s response to the cities of Coeur d’Alene, Idaho Falls, Moscow and Nampa.

◆ **Financial Report**

Marsi Woody reviewed Plumbing’s FY2007 Appropriation Balances, Revenue/Expenses and Revenue Comparisons.

The financial side of the Division’s software program “CAS” (Consumer Access System), previously known as “Alpine”, was addressed.

In December the HVAC Board made their final loan payment to the Plumbing Board. Ray Coon suggested offering funds to Bureau’s within the Agency needing inspectors.

ACTION: Milford Terrell recommended local State Plumbing Inspectors attend future Board meetings to become familiar with the Board’s processes.

◆ **Exam Summary Report**

Al Caine received notification from I.C.E.S., the Division’s new testing agency, that they had received a copy of the signed agreement. The Division anticipates the new testing system will be available by the first of April.

◆ **Notice of Violation Listing**

The Notice of Violation (NOV) and Civil Penalties (CP) listings are informational activity reports on plumbing violations. An NOV can result in a warning or a CP/fine. NOV’s are issued to any person violating State statutes and laws; while CP’s are issued to unlicensed contractors and incurs fees.

ACTION: The Division will revise the NOV/CP forms/reports for clarity.

◆ **Compliance Issues**

Anthony Gunderson, 3 Amigos Plumbing – An NOV letter was sent to Anthony Gunderson, 3 Amigos Plumbing, regarding an employee engaged in a plumbing installation without a license. No action is required.

Jim Lawrence – Notice of Violations and Civil Penalties have been issued to Jim Lawrence for plumbing without certification or registration. Complaints have alleged Jim Lawrence of renting Eric Henry’s Plumbing Contractor’s license. The Board has asked the Division to proceed with hearings on Jim Lawrence and Eric Henry.

ACTION: The Division will submit, to the Civil Litigation Division of the Attorney General's office, a formal request for hearings on Jim Lawrence and Eric Henry.

Steve Short – An NOV has been issued to Mr. Short for plumbing as an unlicensed Plumbing Contractor, plumbing without certification or registration and failure to permit.

MOTION: Milford Terrell made a motion to begin the process for a hearing on Steve Short. Bob Livesay seconded. All ayes, motion passed.

♦ **Apprentice Related Training Requirements**

Senator Charles Coiner is considering legislation affecting existing rules related to apprenticeship training. Milford Terrell suggested the Board create a coalition with legislators and building trade representatives.

ACTION: At the completion of this legislative session, the Board to meet with the interested parties; working towards a mutual agreement.

♦ **Apprentice Reciprocal Agreement**

Oregon, Washington and Montana Apprenticeship Councils have cancelled the Apprentice Reciprocal Agreement with the BAT apprenticeship program. This does not affect Idaho apprentices as they must be registered to work in Idaho.

♦ **New Business**

Plumbing Permit Requirements - Mark LaBolle, University of Idaho's Director of Building Trades asked the Board to review the plumbing code; allowing the University to pull/purchase permits for University jobs rather than a licensed plumbing contractor.

The University of Idaho is a land grant institution. Milford Terrell has asked the University Council to contact himself or the Division's Deputy Attorney General, discussing land grants and plumbing laws.

ACTION: The Board, Division Administrator and Bureau Chief will take this issue under advisement; presenting a decision at the April Board meeting. Milford Terrell requested the University be exempt until a decision is made.

House Bill 132 – This bill is in regards to the Memorandum of Understanding (MOU) between the Electrical, HVAC and Plumbing Bureau Boards. Ray Coon believes the bill is going beyond the intention of the MOU.

ACTION: The Board requests the Division review and report back their interpretation of this bill.

♦ **Executive Session**

MOTION: Milford Terrell made a motion to go into Executive Session pursuant to the Idaho Code 67-2345, to discuss any matter authorized under the Statute which could include any of the following: personnel, property management, any disclosures of any law suits, anything pending with the State Department. Bob Livesay seconded. All ayes, motion passed. Roll Call Vote: Chairman Ray Coon–yes, Bob Livesay–yes, Milford Terrell–yes.

MOTION: Milford Terrell made a motion to return to Regular Session. Bob Livesay seconded. All ayes, motion passed.

MOTION: Milford Terrell made a motion to conclude the Board meeting at 2:40 p.m. Seconded by Bob Livesay. All ayes, motioned passed.

RAYMOND COON, CHAIRMAN
PLUMBING BOARD

C. KELLY PEARCE, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE